

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Solomon S. Steiner and Bryan R. Wilson

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Serial No.: 09/766,362

Art Unit: 1615

FEB 15 2005

Filed: January 19, 2001

Examiner: Humera Sheikh

For: *DRY POWDER FORMULATIONS OF ANTIHISTAMINE FOR NASAL
ADMINISTRATION*Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

This is an appeal from the final rejection of claims 1-5, 7-12, 14-18, 20 and 21 in the Office Action mailed July 15, 2004, in the above-identified patent application. A Notice of Appeal was filed on December 15, 2004. The Commissioner is hereby authorized to charge \$250.00, the fee for the filing of this Appeal Brief for a small entity, to Deposit Account No. 50-3129. It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-3129.

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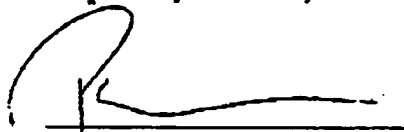
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PDC 119
078374/00011

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For the foregoing reasons, Appellant submits that claims 1-5, 7-12, 14-18, 20 and 21 are patentable.

Respectfully submitted,


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Date: February 15, 2005

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